



SUSANA MARTINEZ  
Governor

JOHN A. SANCHEZ  
Lieutenant Governor

NEW MEXICO  
ENVIRONMENT DEPARTMENT

*Office of the Secretary*

Harold Runnels Building  
1190 Saint Francis Drive (87505)  
P.O. Box 5469, Santa Fe, NM 87502  
Phone: (505) 827-2855 Fax: (505) 827-2836  
[www.nmenv.state.nm.us](http://www.nmenv.state.nm.us)



RYAN FLYNN  
Cabinet Secretary

BUTCH TONGATE  
Deputy Secretary

April 23, 2014

Jared Blumenfeld  
Regional Administrator, US EPA Region 9  
75 Hawthorne Street  
San Francisco, CA 94105

Ron Curry  
Regional Administrator, US EPA Region 6  
1145 Ross Avenue, Suite 1200  
Dallas, TX 75202

Ben Fisherow  
Section Chief, Department of Justice  
Environmental Enforcement Section  
P.O. Box 7611  
Ben Franklin Station  
Washington, DC 20044

**Re: Settlement of Tronox Chapter 11 Bankruptcy in the U.S Bankruptcy Court for the SD of New York; Settlement of Fraudulent Conveyance Claims Against Kerr-McGee Corporation in the U.S Bankruptcy Court for the SD of New York**

Dear Mr. Blumenfeld, Mr. Curry and Mr. Fisherow:

On behalf of the State of New Mexico, we thank you for your hard work and dedication throughout the Chapter 11 Tronox Bankruptcy Proceedings and successive Fraudulent Conveyance Claims Settlement associated with Kerr-McGee's spin-off of Tronox and Anadarko's subsequent purchase of Kerr-McGee. The funding secured for environmental cleanup by the Department of Justice, the Navajo Nation and EPA is unprecedented. We are especially thankful for the invaluable efforts and leadership of Steve Etsitty, Eugene Esplain and the late Arlene Luther of the Navajo Nation EPA. The settlement proceeds will ensure continued progress is made to clean up numerous contaminated sites in the State of New Mexico and the Navajo Nation.

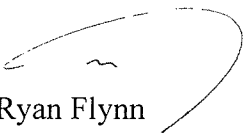
In 2009, the State of New Mexico decided not to participate in the Tronox Bankruptcy. Given the widespread contamination of groundwater in the Grants Mining District caused by legacy uranium mine sites, we believe this decision constituted an error in judgment because the State does not have direct access to funds that could be used for cleanup in the Grants District in New Mexico. Going forward, we are committed to determining the extent and impact of uranium

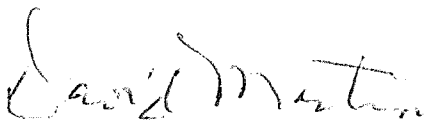
mining at Kerr-McGee sites in New Mexico, and we will do everything in our power to ensure these contaminated sites are remediated.

Recently, our staff engaged in discussions with the Department of Justice, EPA Region 9 and EPA Region 6 personnel who were involved in the Tronox Bankruptcy Proceedings and the Fraudulent Conveyance Claims Settlement. We were pleased to see many sites that are of primary importance to the State included in the settlements, and we are very grateful for your willingness to work with us. As we indicated on those calls, and as we indicate to you now, we are here to provide whatever technical assistance and historical insight we can to help the EPA and the Navajo Nation best administer the settlement proceeds. Our respective Groundwater Quality Bureau and Mining and Minerals Division have regulated many of these sites for years, and our technical personnel have an intimate understanding of the environmental impacts of these uranium mines in New Mexico.

While we do not understand why the State decided not to participate in these proceedings in 2009, we are now fully committed to participating in this process. If there is anything you need from either of our departments, please do not hesitate to contact us. We look forward to assist in any way we can.

Sincerely,

  
for Ryan Flynn  
Cabinet Secretary  
New Mexico Environment Department

  
David Martin  
Cabinet Secretary  
New Mexico Energy, Minerals and Natural  
Resources Department

Cc: David Taylor, Navajo Nation Department of Justice  
Jeffrey Kendall, NMED General Counsel  
Bill Brancard, NM EMNRD General Counsel